

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DARTANIAN HAWKINS,

Petitioner,

**CASE NO. 2:17-CV-00466
JUDGE GEORGE C. SMITH
Magistrate Judge Jolson**

v.

WARDEN, ROSS CORECTIONAL, INST.,

Respondent.

OPINION AND ORDER

On April 19, 2018, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending that the petition for a writ of habeas corpus, (ECF No. 1), be denied. (ECF No. 15.) Petitioner sought and received leave to file his objections by May 21, 2018. (ECF No. 17.) Although the parties were advised of the right to object to the R&R, and of the consequences of failing to do so, no objections have been filed. The R&R (ECF No. 15) is therefore, **ADOPTED** and **AFFIRMED**. The petition for a writ of habeas corpus (ECF No. 1) is **DENIED** and this case is **DISMISSED**.

Pursuant to 28 U.S.C. § 2253(c)(1)(A), the Court must also assess whether to issue a certificate of appealability. Rule 11 of the Rules Governing Section 2254 Proceedings for the United States District Courts states that “[t]he district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant.” However, Petitioner has waived the right to file an appeal by failing to file objections to the Magistrate Judge's recommendations. *See Thomas v. Arn*, 474 U.S. 140, 147 (1985); *United States v. Walters*, 638

F. 2d 947, 950 (6th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

S/ George C. Smith

GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT